

Please add the following claims:

---

a<sup>b</sup> --17. (New) The method of claim 7, wherein the action includes communicating the message from the third network component to a specified alternate destination.

18. (New) The method of claim 15, wherein the action includes communicating the message from the second MSC to a specified alternate destination.--

---

**REMARKS**

Claims 1-18 are pending in the present application. Claims 1, 3, 9, 11, and 15 are amended. Claims 17 and 18 are new. Claims 1 and 9 are independent.

**35 U.S.C. § 112 Rejections**

Claim 15 stands rejected under 35 U.S.C. § 112 because there is insufficient antecedent basis for the limitation, "the third network element." Applicant respectfully submits that claim 15 has been amended to provide sufficient antecedent basis for each recited element. Accordingly, withdrawal of this rejection is respectfully requested.

**Prior Art Rejections**

Claims 1, 3-7, 9, and 11-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,067,074 to Farel et al.

(hereinafter "Farel"). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed for the following reasons.

As amended, independent claims 1 and 9 recite preventing messages from being sent from the third network component to the first network component if the second network component accepts a message blocking request from the first network component based on an evaluation of the communication system. There is no disclosure in Farel that the signal transfer point (which is interpreted by the Examiner as anticipating the recited second network component) performs any function other than routing query messages from a toll switch to a centralized database. Therefore, Farel fails to disclose a second network component that performs any type of evaluation on the communication system, as required by independent claim 1.

Applicant respectfully submits that claims 1 and 9 are allowable at least for the reasons stated above. Claims 3-7 and 11-15 are allowable at least by virtue of their dependency on claims 1 and 9.

Claims 2, 8, 10, and 16 stand rejected under 35 U.S.C. § 103 as being unpatentable over Farel in view of U.S. Patent No. 6,266,402 to Ferguson et al. (hereinafter "Ferguson"). This rejection is traversed for the following reasons.

As discussed above, Farel fails to disclose the features recited in independent claims 1 and 9. Ferguson fails to remedy the deficiencies of Farel for the following reasons.

In section 5, pages 6-7, of the Office Action, the Examiner asserts that Ferguson explains the control function of the STP in detail, and that it would have been obvious to include Ferguson's explanation of the control function of an STP in the disclosure of Farel, and thereby teach the invention of claims 2, 8, 10, and 16.

Applicant respectfully submits there is no disclosure in Ferguson referring to Farel. Further, Applicant respectfully submits that Ferguson's disclosure does not provide any explanation of Farel's disclosed STP.

As mentioned above, Farel discloses that a signal transfer point merely routes query messages and responses between a toll switch and a centralized database. In particular, Farel discloses that when an "800" call is routed to a toll switch, the toll switch queries the database in order to obtain information used for routing the call. Farel is silent on actual call routing.

By contrast, Ferguson discloses transfer points, which route calls between multiple switching points, not database queries and responses. Therefore, Ferguson's transfer point is used for a completely different function than Farel's signal transfer point, and Ferguson cannot be interpreted as explaining the control function of Farel's signal transfer point, as asserted by the Examiner.

Further, Ferguson's disclosure is concerned with routing calls between switching points, while Farel is directed to the routing of query

messages and responses between a toll switch and a database. Accordingly, the systems of Farel and Ferguson solve different problems, which is evidence that one of ordinary skill in the art would not have been motivated to combine the teachings of Farel and Ferguson.

Even assuming for the sake of argument that one ordinarily skilled in the art would have been motivated to combine Farel and Ferguson, Applicant respectfully submits that this proposed combination fails to disclose the features recited in independent claims 1 and 9.

For the reasons stated above, Applicant respectfully submits that a *prima facie* case of obviousness has not been established for claims 2, 8, 10, and 16.

### **CONCLUSION**

In view of the above remarks, reconsideration of the various rejections and allowance of claims 1-18 is respectfully requested.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Jason Rhodes at (703) 390-3030 in the Washington, D.C. area, to discuss this application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees

required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly,  
extension of time fees.

Respectfully submitted,

Harness, Dickey & Pierce, P.L.C.

By: \_\_\_\_\_

  
Gary D. Yacura

Registration No. 35,416

GDY/JWR/dg:ewd

12355 Sunrise Valley Drive  
Reston, Virginia 20191  
703/390-3030

Attachment: Version with Markings to Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Amended) A method for controlling messages in a communication system, comprising the steps of:

sending a message blocking request from a first network component to a second network component, the message blocking request identifying a third network component; and

preventing messages from being communicated from the third network component to the first network component if the second network component accepts the message blocking request based on an evaluation of the communication system.

3. (Amended) The method of claim 1, further comprising the step of [send] sending a message blocking command to the third network component.

9. (Amended) A method for controlling messages in a communication system, comprising the steps of:

sending a message blocking request from a first [MSC] mobile switching center (MSC) to a [SCF] system control function component (SCF), the message blocking request identifying a second MSC; and

preventing messages from being communicated from the second MSC to the first MSC.

11. (Amended) The method of claim 9, further comprising the step of [send] sending a message blocking command to the second MSC.

15. (Amended) The method of claim 9, wherein the message blocking request specifies an action to be taken by the [third network element] second MSC instead of communicating a message from the second MSC to the first MSC.

Claims 17 and 18 are newly added.